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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/872,574	06/01/2001	Charles B. Dickinson	CBD-001	2676

7590 12/18/2002  
E. Eugene Thigpen  
E. Eugene Thigpen, Attorney  
Post Office Box 42427  
Houston, TX 77242

EXAMINER

TAMAI, KARL I

ART UNIT	PAPER NUMBER
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2834

DATE MAILED: 12/18/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/872,574

Applicant(s)

DICKINSON, CHARLES B.

Examiner

Tamai IE Karl

Art Unit

2834

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 18 September 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-22,31 and 32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 9-18 is/are allowed.
- 6) ☐ Claim(s) 1,3-8, 19, 21, and 22 is/are rejected.
- 7) ☒ Claim(s) 2,20,31 and 32 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

***Election/Restrictions***

1. Applicant's election without traverse of Group I in Paper No. 5 is acknowledged.

***Specification***

2. The amended title "Electrical Power Generation System Utilizing an Electrically Superconductive Coil" has been entered into the file wrapper. The requirement for a new title is withdrawn.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 4-7, 19, 21, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dowsett et al. (Dowsett)(US 3,443,134) and Adachi (JP 41-610,056). Dowsett teaches a homopolar power generator having a superconductive coil 9 enclosed in a container 10 with an electrical conductor 3,4 (Faraday disks) mounted on a rotating shaft. Dowsett teaches every aspect of the invention except it does not teach the container specifically having cryogenic fluid, a prime mover, or the conduit for supplying a gaseous stream from a pressurized source to the prime mover. Adachi teaches a helium cryogenic fluid, a prime mover turbine 1, and the conduit for supplying a gaseous stream from evaporated cryofluid. It would have been obvious to a person of ordinary skill in the art at the time of the invention to construct the generator of Dowsett cryosystem of Adachi to provide a compact generator system.

5. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dowsett and Adachi, in further view of Nikola Tesla(US 1,061,206). Dowsett and Adachi teach every aspect of the invention except the prime mover being spaced apart disks. Tesla teaches that spaced apart disks provide a reliable turbine that can operate in both directions. It would have been obvious to a person of ordinary skill in the art at the time of the invention to construct the generator of Dowsett and Adachi with the turbine of Tesla to provide a reliable turbine that operates in both direction.

6. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dowsett and Adachi, in further view of Joshi (US 5,482,919). Dowsett and Adachi teach every aspect of the invention except the cryogenic fluid being nitrogen and the superconductive material being yttrium barium copper oxide. Joshi teaches the cryogenic fluid can be nitrogen and the superconductive material can be yttrium barium copper oxide. It would have been obvious to a person of ordinary skill in the art at the time of the invention to construct the generator of Dowsett and Adachi with the cryogenic fluid being nitrogen and the superconductive material being yttrium barium copper oxide because Joshi teaches these are good materials for superconductive devices and because it is within the ordinary skill in the art to choose materials from known equivalents.

***Allowable Subject Matter***

7. Claims 9-18 are allowed.

8. Claims 2, 20, 31, and 32 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Response to Arguments***


9. Applicant's arguments with respect to the rejected claim a have been considered but are moot in view of the new ground of rejection.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Karl I.E. Tamai whose telephone number is (703) 305-7066.

The examiner can be normally contacted on Monday through Friday from 8:00 am to 4:00 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Nestor Ramirez, can be reached at (703) 308-1371. The facsimile number for the Group is (703) 305-3432.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.

Karl I Tamai  
PRIMARY PATENT EXAMINER  
December 12, 2002

  
KARL TAMAI  
PRIMARY EXAMINER